

2821



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of:
HOLT ET AL.

Serial No. 09/846,786

Filing Date: May 1, 2001

Confirmation No. 5140

For: HIGH CAPACITY BROADBAND
CELLULAR/PCS BASE STATION
USING A PHASED ARRAY ANTENNA

Examiner: J. Clinger

Art Unit: 2821

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FEB 22 2002
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#7/Response
JHM
2-27-02

AMENDMENT

Director, U.S. Patent and Trademark Office
Washington, DC 20231

Sir:

Responsive to the Office Action of November 7, 2001,
please enter the enclosed Declaration Under 37 CFR §1.131.

REMARKS

Claims 10-19 remain in this application.

Applicants thank the Examiner for the detailed study
of the application and prior art. Applicants note that the
Examiner has initially rejected all claims as anticipated
under 35 USC §102(e) by commonly assigned U.S. Patent No.
6,188,915 to Martin et al.

Applicants present a Declaration Under 37 CFR §1.131
with associated exhibits that conclusively shows that the
inventors had conceived in the United States while working at